



General Assembly

Substitute Bill No. 710

January Session, 2013



AN ACT CONCERNING PERMITS FOR GUN SHOWS AND TO SELL LONG GUNS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-37g of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) For the purposes of this section, (1) "gun show" means any event
4 (A) at which fifty or more firearms are offered or exhibited for sale,
5 transfer or exchange to the public and (B) at which two or more
6 persons are exhibiting one or more firearms for sale, transfer or
7 exchange to the public; [and] (2) "gun show promoter" means any
8 person who organizes, plans, promotes or operates a gun show; and
9 (3) "local authority" means the chief of police or, where there is no chief
10 of police, the warden of the borough or the first selectman of the town.

11 (b) Not later than [thirty] sixty days before commencement of a gun
12 show, the gun show promoter shall [notify the chief of police or, where
13 there is no chief of police, the warden of the borough or the first
14 selectman of the town in which the gun show is to take place of the
15 date, time, duration and location of the gun show] apply to the local
16 authority of the city, town or borough in which the gun show is to take
17 place for a gun show permit. Such application shall be in the form and
18 manner prescribed by the local authority and shall include the
19 proposed date, time, duration and location of the gun show and any

20 information the local authority deems necessary to determine the
21 applicant's suitability to be a gun show promoter. The fee for a permit
22 issued pursuant to this subsection shall be two hundred dollars. The
23 local authority may issue a gun show permit to any applicant it
24 determines is suitable to be a gun show promoter. If the local authority
25 determines that the applicant is not suitable to be a gun show
26 promoter, it shall notify the applicant of such decision in writing not
27 later than thirty days after receiving the application. No fee or portion
28 of any fee paid under the provisions of this subsection for a gun show
29 permit shall be refundable, except if the permit for which the fee or
30 portion was paid was not issued. No person shall operate a gun show
31 without first obtaining a gun show permit from the local authority of
32 the city, town or borough in which the gun show is to take place. Any
33 gun show permit issued pursuant to this subsection shall be valid only
34 for the gun show for which it is issued.

35 (c) No person, firm or corporation shall sell, deliver or otherwise
36 transfer a firearm at a gun show until such person, firm or corporation
37 has complied with the provisions of section 29-36l.

38 Sec. 2. (NEW) (*Effective October 1, 2013*) (a) No person who, in a
39 calendar year, sells ten or more firearms, as defined in section 53a-3 of
40 the general statutes, other than pistols or revolvers, or who is a
41 federally licensed firearm dealer shall advertise, sell, deliver, or offer
42 or expose for sale or delivery, or have in such person's possession with
43 intent to sell or deliver, any such firearm at retail without having a
44 permit therefor issued as provided in this subsection. The chief of
45 police or, where there is no chief of police, the warden of the borough
46 or the first selectman of the town, as the case may be, may, upon the
47 application of any person, issue a permit in such form as may be
48 prescribed by the Commissioner of Emergency Services and Public
49 Protection for the sale at retail of firearms other than pistols and
50 revolvers within the jurisdiction of the authority issuing such permit.
51 No permit for the sale at retail of any such firearm shall be issued
52 unless the applicant holds a valid eligibility certificate for a pistol or

53 revolver issued pursuant to section 29-36f of the general statutes or a
54 valid state permit to carry a pistol or revolver issued pursuant to
55 subsection (b) of section 29-28 of the general statutes and the applicant
56 submits documentation sufficient to establish that local zoning
57 requirements have been met for the location where the sale is to take
58 place, except that any person selling or exchanging a firearm other
59 than a pistol or revolver for the enhancement of a personal collection
60 or for a hobby or who sells all or part of such person's personal
61 collection of such firearms shall not be required to submit such
62 documentation for the location where the sale or exchange is to take
63 place.

64 (b) Notwithstanding the provisions of sections 1-210 and 1-211 of
65 the general statutes, the name and address of a person issued a permit
66 to sell at retail firearms other than pistols and revolvers pursuant to
67 subsection (a) of this section shall be confidential and shall not be
68 disclosed, except (1) such information may be disclosed to law
69 enforcement officials acting in the performance of their duties,
70 including, but not limited to, employees of the United States Probation
71 Office acting in the performance of their duties, and (2) such
72 information may be disclosed to the Commissioner of Mental Health
73 and Addiction Services to carry out the provisions of subsection (c) of
74 section 17a-500 of the general statutes, as amended by this act.

75 (c) The fee for each permit originally issued under the provisions of
76 subsection (a) of this section shall be two hundred dollars and for each
77 renewal of such permit two hundred dollars. A permit issued pursuant
78 to subsection (a) of this section shall expire five years after the date it
79 becomes effective and each renewal of such permit shall expire five
80 years after the expiration date of the permit being renewed.

81 (d) No sale of any firearm other than a pistol or revolver shall be
82 made except in the room, store or place described in the permit for the
83 sale of such firearms, and such permit or a copy thereof certified by the
84 authority issuing the same shall be exposed to view within the room,
85 store or place where such firearms are sold or offered or exposed for

86 sale. No sale or delivery of any such firearm shall be made unless the
87 purchaser or person to whom the same is to be delivered is personally
88 known to the vendor of such firearm or the person making delivery
89 thereof or unless the person making such purchase or to whom
90 delivery thereof is to be made provides evidence of his or her identity.
91 The vendor of any such firearm shall keep a record of each such
92 firearm sold in a book kept for that purpose, which record shall be in
93 such form as is prescribed by 27 CFR 478.125. The vendor of any such
94 firearm shall make such record available for inspection upon the
95 request of any sworn member of an organized local police department
96 or the Division of State Police within the Department of Emergency
97 Services and Public Protection or any investigator assigned to the state-
98 wide firearms trafficking task force established under section 29-38e of
99 the general statutes.

100 (e) Any person violating any provision of this section shall be fined
101 not more than five hundred dollars or imprisoned not more than three
102 years, or both, and any firearm other than a pistol or revolver found in
103 the possession of any person in violation of any provision of this
104 section shall be forfeited.

105 Sec. 3. Section 17a-500 of the general statutes is repealed and the
106 following is substituted in lieu thereof (*Effective October 1, 2013*):

107 (a) Each court of probate shall keep a record of the cases relating to
108 persons with psychiatric disabilities coming before it under sections
109 17a-75 to 17a-83, inclusive, 17a-450 to 17a-484, inclusive, 17a-495 to
110 17a-528, inclusive, 17a-540 to 17a-550, inclusive, 17a-560 to 17a-576,
111 inclusive, and 17a-615 to 17a-618, inclusive, and the disposition of
112 them. It shall also keep on file the original application and certificate of
113 physicians required by said sections, or a microfilm duplicate of such
114 records in accordance with regulations issued by the Probate Court
115 Administrator. All records maintained in the courts of probate under
116 the provisions of said sections shall be sealed and available only to the
117 respondent or his or her counsel unless the Court of Probate, after
118 hearing held with notice to the respondent, determines such records

119 should be disclosed for cause shown.

120 (b) Notwithstanding the provisions of subsection (a) of this section,
121 the Commissioner of Mental Health and Addiction Services, in
122 accordance with section 17a-499, shall maintain information on
123 commitment orders by a probate court and shall provide such
124 information to the Commissioner of Emergency Services and Public
125 Protection in fulfillment of his obligations under sections 29-28 to 29-
126 38, inclusive, and section 53-202d and section 2 of this act, in such a
127 manner as to report identifying information on the commitment status,
128 including, but not limited to, name, address, sex, date of birth and date
129 of commitment, for a person who applies for or holds a permit or
130 certificate under said sections 29-28 to 29-38, inclusive, and section 53-
131 202d and section 2 of this act. The Commissioner of Emergency
132 Services and Public Protection shall maintain as confidential any such
133 information provided to him and shall use such information only for
134 purposes of fulfilling his obligations under sections 29-28 to 29-38,
135 inclusive, and section 53-202d and section 2 of this act, except that
136 nothing in this section shall prohibit said commissioner from entering
137 such information into evidence at a hearing held in accordance with
138 section 29-32b, as amended by this act.

139 (c) (1) The Commissioner of Mental Health and Addiction Services
140 shall obtain from the Commissioner of Emergency Services and Public
141 Protection the status of any firearm application, permit or certificate
142 under sections 29-28 to 29-38, inclusive, and section 53-202d and
143 section 2 of this act, of each person who is the subject of an order of
144 commitment pursuant to section 17a-499, in such a manner so as to
145 only receive a report on the firearm application, permit or certificate
146 status of the person with respect to whom the inquiry is made.

147 (2) The Commissioner of Mental Health and Addiction Services
148 shall report to the Commissioner of Emergency Services and Public
149 Protection any commitment status and identifying information for any
150 person who is an applicant for or holder of any permit or certificate
151 under said sections 29-28 to 29-38, inclusive, and section 53-202d and

152 section 2 of this act.

153 (3) The Commissioner of Mental Health and Addiction Services
154 shall advise the hospital for psychiatric disabilities to which a person
155 has been committed of the status of a firearm application, permit or
156 certificate of such person under sections 29-28 to 29-38, inclusive, and
157 section 53-202d and section 2 of this act, as reported by the
158 Commissioner of Emergency Services and Public Protection for
159 consideration by such hospital in any psychiatric treatment
160 procedures.

161 (4) The Commissioner of Mental Health and Addiction Services and
162 a hospital for psychiatric disabilities shall maintain as confidential any
163 information provided to said commissioner or such hospital
164 concerning the status of a firearm application, permit or certificate
165 under sections 29-28 to 29-38, inclusive, and section 53-202d and
166 section 2 of this act, of any person.

167 Sec. 4. Section 29-27 of the general statutes is repealed and the
168 following is substituted in lieu thereof (*Effective October 1, 2013*):

169 The term "pistol" and the term "revolver", as used in sections 29-28
170 to 29-38, inclusive, and section 2 of this act mean any firearm having a
171 barrel less than twelve inches in length.

172 Sec. 5. Subsection (b) of section 29-32b of the general statutes is
173 repealed and the following is substituted in lieu thereof (*Effective*
174 *October 1, 2013*):

175 (b) Any person aggrieved by any refusal to issue or renew a permit
176 or certificate under the provisions of section 29-28 or 29-36f or section 2
177 of this act, or by any limitation or revocation of a permit or certificate
178 issued under any of said sections, or by a refusal or failure of any
179 issuing authority to furnish an application as provided in section
180 29-28a, may, within ninety days after receipt of notice of such refusal,
181 limitation or revocation, or refusal or failure to supply an application
182 as provided in section 29-28a, and without prejudice to any other

183 course of action open to such person in law or in equity, appeal to the
184 board. On such appeal the board shall inquire into and determine the
185 facts, de novo, and unless it finds that such a refusal, limitation or
186 revocation, or such refusal or failure to supply an application, as the
187 case may be, would be for just and proper cause, it shall order such
188 permit or certificate to be issued, renewed or restored, or the limitation
189 removed or modified, as the case may be. If the refusal was for failure
190 to document compliance with local zoning requirements, under
191 subsection (a) of section 29-28 or section 2 of this act, the board shall
192 not issue a permit.

193 Sec. 6. Section 29-36m of the general statutes is repealed and the
194 following is substituted in lieu thereof (*Effective October 1, 2013*):

195 The Commissioner of Emergency Services and Public Protection
196 shall adopt regulations in accordance with the provisions of chapter 54
197 to carry out the provisions of sections 18-81i, 29-27, as amended by this
198 act, and 29-28, subsection (a) of section 29-30, section 29-32, subsection
199 (b) of section 29-32b, as amended by this act, sections 29-33, 29-34 and
200 29-36f to 29-36l, inclusive, subsection (a) of section 29-37, subsections
201 (a) and (b) of section 53-202d and section 53a-217c and section 2 of this
202 act.

203 Sec. 7. Section 29-38b of the general statutes is repealed and the
204 following is substituted in lieu thereof (*Effective October 1, 2013*):

205 (a) The Commissioner of Emergency Services and Public Protection,
206 in fulfilling his obligations under sections 29-28 to 29-38, inclusive, and
207 section 53-202d and section 2 of this act, shall verify that any person
208 who, on or after October 1, 1998, applies for or seeks renewal of a
209 permit to sell at retail a pistol or revolver, a permit to sell at retail a
210 firearm other than a pistol or revolver, a permit to carry a pistol or
211 revolver, an eligibility certificate for a pistol or revolver or a certificate
212 of possession for an assault weapon has not been confined in a hospital
213 for persons with psychiatric disabilities, as defined in section 17a-495,
214 within the preceding twelve months by order of a probate court, by

215 making an inquiry to the Department of Mental Health and Addiction
216 Services in such a manner so as to only receive a report on the
217 commitment status of the person with respect to whom the inquiry is
218 made including identifying information in accordance with the
219 provisions of subsection (b) of section 17a-500, as amended by this act.

220 (b) If the Commissioner of Emergency Services and Public
221 Protection determines pursuant to subsection (a) of this section that a
222 person has been confined in a hospital for persons with psychiatric
223 disabilities, as defined in section 17a-495, within the preceding twelve
224 months by order of a probate court, said commissioner shall report the
225 status of such person's application for or renewal of a permit to sell at
226 retail a pistol or revolver, a permit to sell at retail a firearm other than a
227 pistol or revolver, a permit to carry a pistol or revolver, an eligibility
228 certificate for a pistol or revolver or a certificate of possession for an
229 assault weapon to the Commissioner of Mental Health and Addiction
230 Services for the purpose of fulfilling his responsibilities under
231 subsection (c) of section 17a-500, as amended by this act.

232 Sec. 8. Subsection (d) of section 53-202f of the general statutes is
233 repealed and the following is substituted in lieu thereof (*Effective*
234 *October 1, 2013*):

235 (d) The term "licensed gun dealer", as used in sections 29-37j and 53-
236 202a to 53-202k, inclusive, and subsection (h) of section 53a-46a means
237 a person who has a federal firearms license and a permit to sell
238 firearms pursuant to section 29-28 or section 2 of this act.

239 Sec. 9. Subsection (b) of section 54-36e of the general statutes is
240 repealed and the following is substituted in lieu thereof (*Effective*
241 *October 1, 2013*):

242 (b) Firearms turned over to the state police pursuant to subsection
243 (a) of this section which are not destroyed or retained for appropriate
244 use shall be sold at public auctions, conducted by the Commissioner of
245 Administrative Services or such commissioner's designee. Pistols and

246 revolvers, as defined in section 53a-3, which are antiques, as defined in
 247 section 29-33, or curios or relics, as defined in the Code of Federal
 248 Regulations, Title 27, Chapter 1, Part 178, or modern pistols and
 249 revolvers which have a current retail value of one hundred dollars or
 250 more may be sold at such public auctions, provided such pistols and
 251 revolvers shall be sold only to persons who have a valid permit to sell
 252 a pistol or revolver, or a valid permit to carry a pistol or revolver,
 253 issued pursuant to section 29-28. Rifles and shotguns, as defined in
 254 section 53a-3, shall be sold only to persons who have a valid permit to
 255 sell a firearm other than a pistol or revolver, or persons qualified under
 256 federal law to purchase such rifles and shotguns. The proceeds of any
 257 such sale shall be paid to the State Treasurer and deposited by the
 258 State Treasurer in the forfeit firearms account within the General Fund.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2013	29-37g
Sec. 2	October 1, 2013	New section
Sec. 3	October 1, 2013	17a-500
Sec. 4	October 1, 2013	29-27
Sec. 5	October 1, 2013	29-32b(b)
Sec. 6	October 1, 2013	29-36m
Sec. 7	October 1, 2013	29-38b
Sec. 8	October 1, 2013	53-202f(d)
Sec. 9	October 1, 2013	54-36e(b)

PS *Joint Favorable Subst.*